IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2550 OF 2006

Rakeshsingh P. Rajput @
Ramkewal Rajkumar Saroj. ..Applicant.

Vs.

The State of Maharashtra. ..Respondent.

Mr.D.G.Khamkar, Advocate for the Applicant.
Ms. S.V.Gajare, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 26/7/2006.

P.C.

1. This is an application for grant of bail. The applicant is shown as an accused in C.R.No.239/1998 registered by Nigadi Police Station, Pune. The said crime was registered on the basis of an F.I.R. filed by Leena S. Malhotra who was the wife of the deceased. The deceased was murdered in this crime for gain and certain properties like his mobile phone and gold articles were stolen. This incident occurred on 8.10.1998 in the evening. The present applicant is a person who was arrested in another crime being C.R.No.78/2003. In that crime he said to have made a statement leading to the discovery of two earrings, said to have been kept by him with his friend Mr. Thakur.

The police have recorded the statement of said Thakur to confirm this fact. However, the statement of said Thakur indicates that he had made some alterations in the gold ornaments from the jeweller. Inspite of this there is identification which shows that gold earrings said to have been identified by the complainant. It is on this basis that on 18.7.2003 the applicant was shown to be arrested in this crime. Even assuming that such identification will stand, possibility of applicant being receiver of the stolen goods cannot be eliminated at this stage. Mobile phone said to have been deposited by the applicant with his friend Mr. Thakur is not recovered. Taking an over all view of the matter, I am inclined to grant bail to the applicant on stringent condition as the applicant is history sheeter.

. It is therefore, directed that pending his trial in pursuance of C.R.No.239/1998 registered by Nigadi Police Station, Pune, the applicant may be released on bail in the sum of Rs.25,000/- with one surety from Pune District in the like amount subject to the condition that he will report to I.O. at Nigadi Police Station twice in a month on every first and third Mondays between 11 to 5.p.m.till the disposal of the trial.

2. Application is disposed off.

(R. S. MOHITE, J.)